

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MAURICE EDWARD WALKER,

Plaintiff,

v.

FASULO et al.,

Defendants.

2:14-cv-2099-RFB-NJK

**ORDER**

**I. DISCUSSION**

On December 11, 2014, Plaintiff, a *pro se* prisoner, filed an application to proceed *in forma pauperis* and submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1, 1-1). The Court has not yet screened Plaintiff's complaint. On February 19, 2015, Plaintiff filed a motion for leave to file an amended complaint. (ECF No. 5).

The Court grants Plaintiff's motion to file an amended complaint. In his motion for leave, Plaintiff appears to write which defendants and claims he seeks to add to his complaint. The Court notes that Plaintiff must submit a complete amended complaint because the Court will not piece meal his documents together.

Plaintiff is granted leave to file an amended complaint. If Plaintiff chooses to file an amended complaint he is advised that an amended complaint supersedes the original complaint and, thus, the amended complaint must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that "[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original"); *see also Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012) (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such

1 claims in a subsequent amended complaint to preserve them for appeal). Plaintiff's amended  
2 complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to  
3 pursue in this lawsuit. Moreover, Plaintiff must file the amended complaint on this Court's  
4 approved prisoner civil rights form and it must be entitled "First Amended Complaint."

5 The Court notes that if Plaintiff chooses to file an amended complaint, Plaintiff shall file  
6 the amended complaint within 30 days from the date of entry of this order. If Plaintiff chooses  
7 not to file an amended complaint, the Court shall screen Plaintiff's original complaint (ECF No.  
8 1-1).

9 **II. CONCLUSION**

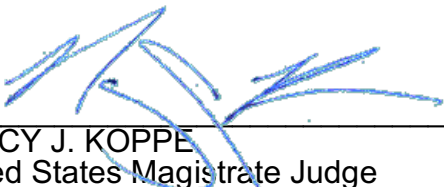
10 For the foregoing reasons, IT IS ORDERED that Plaintiff's motion for leave to file an  
11 amended complaint (ECF No. 5) is granted.

12 IT IS FURTHER ORDERED that if Plaintiff chooses to file an amended complaint,  
13 Plaintiff shall file the amended complaint within 30 days from the date of entry of this order.

14 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the  
15 approved form for filing a § 1983 complaint, instructions for the same, and a copy of his  
16 original complaint and addendum (ECF No. 1-1, 5). If Plaintiff chooses to file an amended  
17 complaint, he must use the approved form and he shall write the words "First Amended" above  
18 the words "Civil Rights Complaint" in the caption.

19 IT IS FURTHER ORDERED that if Plaintiff chooses not to file an amended complaint,  
20 the Court shall screen Plaintiff's original complaint.

21  
22 DATED: This 20th day of February, 2015.

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25 NANCY J. KOPPE  
26 United States Magistrate Judge  
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